

FLATHEAD COUNTY

373

169/373

and emptying into the Flathead River on the south bank thereof on said Mengon Farm at a point about 3/4 miles below said east line and about 1/2 miles below said point of diversion, and which outlet is situated about one mile above the County Bridge across said river at Columbia Falls, and measured from said point of diversion as an initial point, the following well known natural objects and permanent monuments are distant as follows, to-wit: The mouth of said stream is distant 1/2 mile in a westerly direction; The east line of said Mengon Farm where the same is crossed by said stream is distant 1/4 mile in a easterly direction. The S. E. corner of section 9 of T. 30 N. R. 20 W is distant 600 feet in a southeasterly direction.

And the undersigned hereby claims a right of way over all unappropriated lands of the United States, through which said ditch shall pass, together with the right to repair and enlarge said ditch whenever and wherever the same may be necessary to convey the water hereby appropriated.

Made and Dated this 12th day
of June, 1923.

George Mengon

.....
.....
.....
Appropriator and claimant.

STATE OF MONTANA, }
County of Flathead, } ss.

George Mengon, being first duly sworn, says: That he is the appropriator and claimant named in the foregoing Notice of Appropriation; that he has read said Notice of Appropriation, and knows the contents thereof, and that all the matters and statements contained therein are true.

George Mengon

Subscribed and sworn to before me this 12th day of June, 1923.

(Daniel J. Korn)
(Notarial Seal)
(State of Montana)

Daniel J. Korn
Notary Public for the State of Montana.
residing at Kalispell, Montana.
My commission expires September 22, 1925.

Filed for record at the request of Hans Walchli June 16th, 1923 at 11:45 A. M.

A. J. Shaw, County Recorder

Recpt. No. 2113

CONTRACT FOR DEED

THIS AGREEMENT, Made and entered into this 25th, day of May, A. D. 1923, by and between Carrie E. Shaw, widow of the County of Glacier and State of Montana, party of the first part, and Ella M. McDonald of the County of Flathead and State of Montana, party of the second part.

acquainted with I. E. Bachant in his life time, who was a resident of Flathead County, Montana, and who died during the year 1918; that the said I. E. Bachant was a widower at the time of his death, and his only surviving heirs were Joseph Alphonse Bachant, Peter Dennis Bachant, John B. Bachant, Louis Napoleon Bachant, Paul C. Bachant and Ralph Bachant, and that none of said sons have ever married with the exception of Joseph Alphonse Bachant, and that they are all living at this date; that said I. E. Bachant, deceased, died without leaving any will, and that this affiant was upon the petition of the sons of said deceased, above named, appointed administrator of his estate, and acted as such; that said estate has been closed and he has been discharged as such administrator, and that by reason of said proceeding and his personal knowledge of the Bachant family extending over a period of more than twenty years, he is personally acquainted with all of the facts herein set forth.

H. A. Kendall

Subscribed and sworn to before me this 5th day of June 1923.

(J. E. Erickson)
(Notarial Seal)
(State of Montana)

J. E. Erickson
Notary Public for the State of Montana,
residing at Kalispell, Montana.
My commission expires May 3, 1924.

Filed for record at the request of Conrad Lund June 16th, 1923 at 10:45 A. M.

A. J. Shaw, County Clerk & Recorder

Recpt. No. 2111

NOTICE OF APPROPRIATION OF WATER RIGHT

STATE OF MONTANA, }
County of Flathead. } ss.

KNOW ALL MEN BY THESE PRESENTS, That the undersigned did on the First day of September, 1922, appropriate and claim, and does now on this date by these presents appropriate, locate and claim Three Hundred and twenty Miners inches, being eight cubic feet per second of time legal measurement, of the waters of Mazon Creek in the County of Flathead, State of Montana, and did, on this 12th day of June, 1923 mark the point of intended diversion by posting thereat a copy of this notice in a conspicuous place.

The said water is claimed for power, irrigation and other useful and beneficial purposes, and the place of intended use is on the farm of this claimant located on the south bank of the Flathead River opposite Columbia Falls in said County of Flathead and more particularly described as follows: Lot One and the N $\frac{1}{2}$ of the E $\frac{1}{2}$ of Section 16; Lot 5 and the South Half of the Northeast Quarter, and the Southeast Quarter of Section 9; the Northwest Quarter, and the West Half of the Northeast Quarter of Section 10, all in Township 30 North of Range 20 W. T.

Said water to be diverted and conveyed to said place by means of a dam and flume said flume to be 40 inches wide on bottom 40 inches wide on top, and 20 inches deep, and said dam to be 5 feet high so as to raise the level of said stream a distance of 30 inches above its normal low water level.

That the stream from which said diversion is to be made is more particularly described as follows to-wit: rising from various streams located on what is known as the Pierstein Farm adjoining said Mazon farm on the east and within a distance of a 3/4 mile of the east line of said Mazon farm, running thence in a westerly direction across said Pierstein and Mazon farms